

**THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

MICHAEL AND SHELLIE GILMOR,  
et al.,

Plaintiffs,

vs.

PREFERRED CREDIT CORPORATION,  
et al.,

Defendants.

Case No. 4:10-cv-00189-ODS

**JOINT MOTION FOR STAY OF CLAIMS AS AGAINST  
DEFENDANTS JPMORGAN CHASE BANK, NATIONAL ASSOCIATION AS  
FORMER TRUSTEE, AND LITTON LOAN SERVICING, L.P.**

Plaintiffs and Defendants JPMorgan Chase Bank, National Association as Former Trustee (“JPMC”), and Litton Loan Servicing, L.P. (“Litton”) jointly move the Court to stay all motions and proceedings in connection with Plaintiffs’ claims against JPMC and Litton. In support of this motion, Plaintiffs and JPMC and Litton state as follows:

1. The above captioned case is a class action lawsuit involving claims by Missouri homeowners for violations of Missouri’s Second Mortgage Loans Act §§ 408.231 RSMo, *et seq.*
2. Plaintiffs and JPMC and Litton have reached an agreement that, if approved, will settle and resolve the claims of those class members who obtained the loans for which Plaintiffs seek to hold JPMC and Litton liable as against JPMC and Litton, but not as against any other Defendant(s) also alleged to be liable on such loans. Plaintiffs and JPMC and Litton need time to memorialize the settlement in writing and to implement the process through which the settlement can be finalized and submitted to the Court for approval.

3. Given the settlement, the continued prosecution of the claims against JPMC and Litton is unnecessary and will detract from the settling parties' ability to implement their settlement. Accordingly, Plaintiffs and JPMC and Litton respectfully request this Court to grant a stay with respect to all motions and other proceedings related to Plaintiffs' claims against JPMC and Litton, including without limitation JPMC's and Litton's Motions for Summary Judgment (Doc.'s 675, 676, 677, 678), and Plaintiffs' Motion for Partial Summary Judgment, **but solely as to JPMC and Litton** (Doc.'s 703, 704), and JPMC's and Litton's Motions to Exclude Testimony of Dr. Kurt V. Krueger (Doc.'s 687, and 689).

4. No other claims, motions, discovery or other case activity should be stayed against any other Defendant.

5. No party will be prejudiced by the granting of this motion.

WHEREFORE, Plaintiffs and Defendant JPMC and Litton respectfully request that the Court enter an Order staying all motions and proceedings relating to Plaintiffs' claims against JPMC and Litton as stated above.

Date: October 11, 2012

Respectfully submitted,

WALTERS BENDER STROHBEHN  
& VAUGHAN, P.C.

By: /s/ Kip D. Richards  
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**ATTORNEYS FOR JPMORGAN CHASE  
BANK, NATIONAL ASSOCIATION, AS  
FORMER TRUSTEE AND LITTON LOAN  
SERVICING, L.P.**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this the 11<sup>th</sup> day of October 2012, I electronically filed the above and foregoing document with the Clerk of Court of the Western District of Missouri using the Court's ECF system, which will send notification of said filing to all counsel of record who are ECF participants. In addition, a copy was served by U.S. mail, First-Class Postage Prepaid, to:

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P.O. Box 471827  
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**Defendant United Mortgage C.B., L.L.C.**

/s/ Kip D. Richards